D.B.CIVIL SPECIAL APPEAL (W) NO. 587/2006
Banwari Lal
v.
The Civil Judge (J.D.) & Judicial Magistrate, Kotputli & Anr.

Date of order : 28.05.2007.

HON'BLE THE CHIEF JUSTICE SHRI S.N.JHA
HON'BLE SHRI JUSTICE MOHAMMAD RAFIQ

. . .

Shri Jitendra Mitruka for the appellant.

The dispute in this appeal arising from the order of the learned Single Judge in S.B. Civil Writ Petition no.4142/2006 relates to production of a document, namely, sale deed. The case of the appellant who is the plaintiff in the court below is that the provisions of order 7 rule 14(3) of the Code of Civil Procedure in terms of which application was made is meant for the plaintiff, and therefore the application was not maintainable. We find no substance in the submission, for similar provision is contained with respect to the defendants under order 8 rule 1A of the Code of Civil Procedure.

There is no merit in this appeal which is accordingly dismissed.

(MOHAMMAD RAFIQ), J. (S.N.JHA), C.J.

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